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APPLICATION NO.	LICATION NO. FILING DATE FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/774,446	02/10/2004	Toshio Yamagiwa	0505-1267P	1682		
2292	7590 06/22/2005	EXAMINER				
	EWART KOLASCH &	JULES, FRANTZ F				
PO BOX 74 FALLS CH	л JRCH, VA 22040-074°	ART UNIT	PAPER NUMBER			
	<b>,</b>	•	3617			
				DATE MAILED: 06/22/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary  Examiner Frantz F. Jules  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address riod for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM  THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	Application No.		o.	Applicant(s)	
Frank F. Julies   3617	•			YAMAGIWA ET A	L.
Frantz F. Jules	Office Action Summary	Examiner		Art Unit	
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2a) ☐ This action is FINAL 2b) ☐ This action is non-tinal.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  isposition of Claims  4) ☐ Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) ☐ Claim(s) is/are allowed.  6) ☐ Claim(s) is/are ejected.  7) ☐ Claim(s) is/are objected to.  8) ☐ Claim(s) 1-20 are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1 ☐ Certified copies of the priority documents have been received.  2 ☐ Certified copies of the priority documents have been received in Application No  3 ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Orathsperson's Patent Drawing Review (PTO-948)  3) ☐ Information Discolaurs Estatement(s) (PTO-1449 or PTO/SB08)  5) ☐ Notice of Informat Patent Application (PTO-152)  6) ☐ Other:  5) ☐ Notice of Informat Patent Application (PTO-152)  6) ☐ Other:  9) ☐	Status .				
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No. (Mail Date 06132005	2) Notice of Draftsperson's Patent Drawing Review (PTO-3) Information Disclosure Statement(s) (PTO-1449 or PTO-1449)	- <del>94</del> 8) O/SB/08)	5) Notice of Inform	nal Patent Application	(PTO-152)
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Application/Control Number: 10/774,446 Page 2

Art Unit: 3617

## Election/Restrictions

1. This application contains claims directed to the following patentably distinct

species of the claimed invention:

A. Figs. 1-6 and 11

B. Figs. Figs. 7-8

C. Fig. 9A-9B

D. Fig. 10

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for

prosecution on the merits to which the claims shall be restricted if no generic claim is

finally held to be allowable. Currently, claims 1-5, 11, 13-14 are generic.

Applicant is advised that a reply to this requirement must include an identification

of the species that is elected consonant with this requirement, and a listing of all claims

readable thereon, including any claims subsequently added. An argument that a claim

is allowable or that all claims are generic is considered nonresponsive unless

accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration

of claims to additional species which are written in dependent form or otherwise include

all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the

elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to James M. Slattery on May 13, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (571) 272-6681. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules Primary Examiner Art Unit 3617

FFJ

June 15, 2005

FRANTZ F. JULES
PRIMARY EXAMINER